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Security Council

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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 14 July 2005 from the Permanent Mission of Portugal to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Portugal to the United Nations presents its compliments to the Chairman of the Security Council Committee concerning the Democratic Republic of the Congo and, referring to his note dated 17 May 2005, has the honour to communicate to the Committee the following information on the implementation of the United Nations sanctions against the Democratic Republic of the Congo as established by Security Council resolution 1533 (2004) and Security Council resolution 1596 (2005).

The European Union adopts, as a rule, common positions and Council regulations to implement Security Council resolutions providing for the imposition of restrictive measures. These common positions and Council regulations are binding on States members of the European Union.

Security Council resolution 1596 (2005) has been implemented by the European Union by means of Council Common Position 2005/440/CFSP of 13 June 2005, covering all three main components of the United Nations sanctions regime: embargo on supply of arms and related services; targeted financial sanctions; and travel ban; and providing the basis for adoption of two more specific EC Regulations; and Council Regulation (EC) No. 889/2005 of 13 June 2005, implementing the provisions of the resolution imposing restrictions on the supply of assistance related to military activities to the Democratic Republic of the Congo.

Portugal has adopted internal measures to make public and apply the content of the above-mentioned Community legislation. Since the entry into force of this sanctions regime, the Portuguese Ministry of Defence has not received any requests concerning military goods and/or technologies involving the Democratic Republic of the Congo. Any such request would be refused based on legislation currently in force, namely Ordinance law No. 371/80 of 11 September; Ordinance law No. 1/86 of 2 January; Ordinance law No. 436/91 of 8 November; Ministerial Decree (Portaria) No. 439/94 of 29 June (chapters XIII and XIV); and Ordinance law No. 397/98 of 17 December.

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When the Committee established pursuant to paragraph 8 of Security Council resolution 1533 (2004) designates the individuals and entities to be subject to the measures imposed by paragraphs 13 and 14 (travel restrictions) and 15 and 16 (financial sanctions) of Security Council resolution 1596 (2005), those individuals and entities will then be subject to restrictions as applicable under the national legislation.